

OFFICIAL MINUTES
GOODLETTSVILLE BOARD OF ZONING APPEALS

Date: April 14, 1997
Time: 5:00 PM
Place: City Hall

Members Present:

Tom Mosier
Tommy Jackson
Owen Sanders
Ellie Mead
Edgar Lowe

Staff Present

Bill Terry

Cases Heard:

97-3-293
97-4-294
97-4-295
~~97-4-296~~

Others Present:

James McCaslin
Tim Brown
Tammy Ready
Richard Nimmo
Bud Tate
Mike Malone
Rocky Montoya
Bob Adler

The meeting was called to order by Chairman Mosier. It was noted that the meeting had been advertised and adjoining and other affected property owners notified by direct mail. The minutes of the March 1997 meeting was approved as submitted.

CASE NO. 97-3-293

Consideration of a Request for a Variance in Lot Size and Setback Requirements for an Existing Non-Complying Lot on an Uncompleted Portion of Bell Street.

Analysis - This item was heard at the last meeting and was deferred to obtain a legal opinion of the status of an extension of Bell Street and action of the planning board granting access. The city attorney opined that the extension was not a public street having been abandoned many years ago. The planning board did not act due to the fact that a public street was not involved.

Discussion - Chairman Mosier asked what was now required for the use of lot. Staff advised that the driveway needs to be formalized so that each lot has a legal right of access to use the drive.

It was decided that the board could not act until the matter was finalized.

CASE NO. 97-4-294

Consideration of a request for a variance in the minimum building coverage requirement for two houses under construction at 207 and 209 Hollywood Street. The applicant is Bud Tate, owner.

Analysis - The zoning ordinance has a requirement for a minimum first floor ground coverage in the

district of 1,000 square feet. Tate is building two houses neither of which meet this requirement. However, each house has an attached garage which if converted into a bonus room would bring the houses into compliance. Tate would rather have the attached garage than the bonus room and has filed an appeal. The actual square footages are as follows:

	Lot 1	Lot 2
first floor under roof	1223.56 s.f.	980.00 s.f
less garage	305.00	323.00
NET LIVING SPACE	918.56	657.00
second floor living space	470.52	989.00
TOTAL LIVING SPACE	1389.08 s.f.	1666.00 s.f.

Discussion - Tate presented his argument stating that due to the small size of the lots the garage areas was needed for off-street parking of cars and for storage of household articles. He also stated that the houses would look better with the garage as designed rather than finished as a bonus room and cars parked in front of the room. The addition of the bonus room would push the cost of the houses above the market for that neighborhood. He noted that the houses beside and across the street were smaller than 1,000 square feet and also had no garages and that these new homes would improve the neighborhood.

Questions related to whether there were any other alternatives. Edgar Lowe expressed concerns and suggested that lot 2 could have a garage at the rear of the house.

Action of the Board - After further discussion, Owen Sanders moved that the request be granted based upon the size and narrowness of the lots and on the need for off-street parking. Second by Ellie Mead. The motion carried 4 to 1 with Lowe voting no.

ORDER OF THE BOARD

WHEREAS, the board has determined that a hardship exists in the lots at 209 and 207 Hollywood Street, and

WHEREAS, the board has determined that the requirements for a variance contained in Section 11-1408 of the Goodlettsville Zoning Ordinance have been met, and

WHEREAS, no adverse impact on other properties will occur,

NOW, THEREFORE, BE IT ORDERED, that the minimum ground floor coverage be reduced in order that attached garages can be constructed.

CASE NO. 97-4-295

Consideration of a request for a variance in the minimum lot width requirement for lot 67, Long Hollow Place, Section II located on Valerie Court. The applicant is Rocky Montoya, acting on behalf of Richard Nimmo, owner.

Analysis - The zoning ordinance contains a minimum lot width at the building setback line for each lot. On lots which front on a cul-de-sac, the lots sometimes are pie-shaped. Thus, in order to get the minimum lot width, the setback line has to be moved back farther from the street. In this case the setback line was established at 55 feet.

There is a spring and natural drain on this lot which affects the location of the house. If built according to the existing setback line, the house will be in the drain. This is a natural condition inherent in the lot which creates a hardship. In order to build the house the building setback line has to be moved forward and in order to move the setback line the lot width requirement will have to be varied. The request is to vary the lot width in order to obtain a 45' setback. This is still within the required zoning setback.

Discussion - Chairman Mosier noted that the adjacent lot owner, Tammy Ready, was present and asked if she had any comment. She did not oppose the request.

Action of the Board - Tommy Jackson moved that the variance be granted due to the natural drain on the lot. Second by Edgar Lowe, and motion carried unanimously.

ORDER OF THE BOARD

WHEREAS, the board has determined that a hardship exists in the placement of a house on Lot 67, Long Hollow Place Subdivision, and

WHEREAS, the board has determined that the requirements for a variance contained in Section 11-1408 of the Goodlettsville Zoning Ordinance have been met, and

WHEREAS, no adverse impact on other properties will occur,

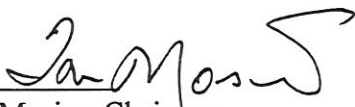
NOW, THEREFORE, BE IT ORDERED, that a variance in the minimum lot width requirement be granted in order to achieve a 45 foot front setback line.

CASE NO. 97-4-296

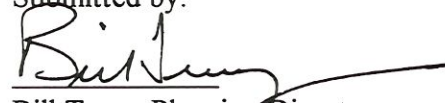
Consideration of a request for a variance to continue to use an existing three unit apartment structure for three units under the nonconforming use provisions of the zoning ordinance and to appeal the Administrator's interpretation of the ordinance at 213 Rose Hill Drive. The applicant is Noble Carroll, owner.

This case has been withdrawn at the request of the owner.

There being no further business, the meeting was adjourned.


Tom Mosier, Chairman

Submitted by:


Bill Terry, Planning Director